

11-26-04

Attorney's Docket No.: 17120-006004 /2403D  
1637  
SPL



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : C. Cantor et al.  
Serial No. : 09/395,409  
Filed : September 14, 1999  
Conf. No. : 6005  
Title : SOLID PHASE SEQUENCING OF BIOPOLMERS

Art Unit : 1637  
Examiner : Calamita, Heather  
Cust. No. : 20985

**Mail Stop: Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

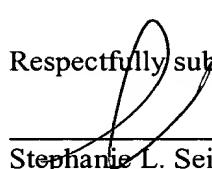
Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, a Statement for Supplemental Information Disclosure Statement In Accordance With 37 C.F.R. §§ 1.97-1.98, Form PTO-1449 (1 page), and cited non US patent references for filing in connection with the above-identified application. No fee is due, however, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:



The Commissioner is hereby authorized to charge any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

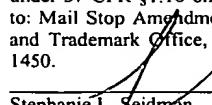
  
Stephanie L. Seidman  
Reg. No. 33,779

Attorney Docket No. 17120-006004/2403D

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**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**  
"Express Mail" Mailing Label Number EV 399317885 US  
Date of Deposit November 23, 2004  
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Mail Stop Amendment Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

  
Stephanie L. Seidman

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

This Supplemental Information Disclosure Statement is filed pursuant to 37 C.F.R. §1.97(c) and includes a certification in accordance with 37 C.F.R. §1.97(e). The certification applies to the reference provided herewith. A fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

As noted in the attached statement, the information was cited in a communication from a foreign patent office in a counterpart foreign application, which was not received by any individual designated in § 1.56(c) more than three months prior to the filing of the attached Supplemental Information Disclosure Statement.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Forms PTO-1449 (1 page) and a copy of the cited document are provided herewith.

The documents cited on the Forms PTO-1449 are in the English language, with the exception of items AD and AE. Item AD (Japanese Patent Nos. JP 03-103199) which is in

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the Japanese language is supplied with an English language equivalent (EP 408918, item AC). Item AE (JP 02-92300) which is in the Japanese language was supplied with an English language equivalent (item BN, US patent 5118605) provided with an Information Disclosure Statement filed on September 14, 1999. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

The above-captioned application designates two inventors, as originally filed on September 14, 1999. The two inventors are Charles R. Cantor and Hubert Köster. Charles R. Cantor has assigned to The Trustees of Boston University. Hubert Köster assigned to Sequenom, Inc. Accordingly the above-captioned application has two joint inventors and is jointly owned by The Trustees of Boston University and Sequenom, Inc.

Applicant also makes known to the Examiner the following additional pending U.S., Applications that have one or more common inventors and/or are commonly owned:

<u>U.S.S.N.(App. No.)</u>	<u>Filing Date</u>	<u>Docket No.</u>
10/136,829	04/30/02	17120-011002 /2402D
10/645,806	08/20/03	17120-011002 /2408B

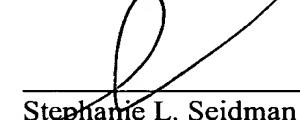
Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

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Applicant respectfully requests that the Examiner review the foregoing information and that it be made of record in the file history of the above-captioned application.

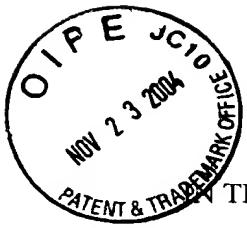
Respectfully submitted,

  
Stephanie L. Seidman  
Reg. No. 33,779

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Title : SOLID PHASE SEQUENCING OF BIOPOLMERS

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FOR SUPPLEMENTAL INFORMATION DISCLOSURE****STATEMENT IN ACCORDANCE WITH 37 C.F.R. § 1.97(E)**

Dear Sir:

- 1) This Statement is being made for the Supplemental Information Disclosure Statement accompanying this Statement.
- 2) I, Stephanie Seidman, certify that items AA, AB, AD and AE of the information contained in the accompanying Supplemental Information Disclosure Statement were first cited in a communication from the Japanese Patent Office dated September 14, 2004 in connection with the Japanese Patent Application No. JP 512208, which claims priority to U.S. Application Serial No. 07/972,012. The instant application claims priority to U.S. Application Serial No. 08/420,009 which also claims priority to U.S. Application Serial No. 07/972,012. Item AC, an English language publication of a corresponding application to item AD, is provided for the purposes of an English language translation. Thus, four of the five items of information (fifth item being provided only for the purposes of translation) contained in the information disclosure statement were first cited in any communication, from a foreign patent office in a counterpart foreign application, which was not received by any individual

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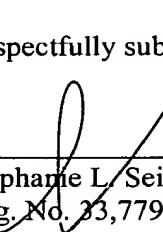
Applicant : C. Cantor et al.  
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designated in § 1.56( c) more than three months prior to the filing of the attached  
Supplemental Information Disclosure Statement.

3) The person making this Statement is an attorney of record in the above-captioned  
application and signs below on the basis of information in the attorney's file.

Respectfully submitted,

  
Stephanie L. Seidman  
Reg. No. 33,779

Attorney Docket No. 17120-006004/2403D

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Sheet 1 of 1

Substitute Form PTO-1449 (Modified)		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 17120-006004 /2403D	Application No. 09/395,409
<b>List of Patents and Publications for Applicant's Information Disclosure Statement</b>  (37 CFR §1.98(b))		Applicant C. Cantor et al.		
		Filing Date September 14, 1999	Group Art Unit 1634	

#### U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	4,818,680	04/04/89	Collins et al.	435	6	12/18/85

#### Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	AB	0 330 185	08/30/89	EP A1				
	AC	0 408 918	11/18/93	EP				
	AD	03-103199	01/23/91	JP A				X+
	AE	02-92300	04/03/90	JP A				X+
	AF							
	AG							

#### Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document		
	AH			
	AI			

Examiner Signature	Date Considered
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.